



JC09 Rec'd PCT/PTO 15 JUN 2001 P CT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT APPLICATION

In re PATENT APPLICATION of Inventor: C. MEARS et al	Group Art Unit: Unknown
Appln. No: 09/763,089	Examiner: Unknown
Filed: February 16, 2001	Atty. Dkt: 29925-169801
Title: APPLICATOR AND DISPENSING DEVICE USING SAME	Date: June 15, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

TRANSMITTAL

Enclosed Please find a Response to the Notice to File Missing Requirements dated March 15, 2001. The following are enclosed in response:

- (1) A copy of the Notice to File Missing Requirements;
- (2) Declaration;
- (3) A Request for a two-month Extension of Time;

(4) Copies of Two Notifications of a Change from the International Bureau indicating that Lawrence Levine and Harvey Levine are to be added as inventors in the U.S. application.

When considered with the previously submitted documents, Applicants respectfully submit that the requirements of 37 CFR § 1.497(a) and (b), and 37 CFR § 1.66 and 1.68 in particular, have been met.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. "Small Entity" Status is claimed.	Claims Remaining After Amendment	Highest Number Previously Paid for	Additional Fee Present Extra
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1. Small Entity					
2. Total Effective Claims	30 minus	30	= 0	x \$18/\$9 =	\$ 0
3. Independent Claims	3 minus	3	= 0	x \$80/\$40 =	\$ 0
4. Two-month Extension of Time fee					\$195
5. Surcharge - Late filing fee or oath or declaration (\$130/65)					\$ 65
6.				TOTAL	<u>\$260</u>

A check in the amount of \$260 is attached.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, including any fees for extension of time, which are required for entry of the attached documents but which have not been specifically requested, or credit any overpayment to Deposit Account No. 22-0261.

Venable, Baetjer, Howard and Civiletti, LLP
P.O. Box 34385
Washington, D.C. 20043-9998
Tel. (202) 962-4800
Fax (202) 962-8300

Signature:

Atty/Sec:KGH/sat
#295214

Attorney: Keith G. Haddaway
Registration No. 46,180

06/19/2001 SNAJARDO 00000101 09763089

01 FC:254	65.00 OP
02 FC:216	195.00 OP



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Pox PCT
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/763089	MEARS	C 29925-152086
KEITH G HADDAWAY VENABLE PO BOX 34385 WASHINGTON, DC 20043 9998		INTERNATIONAL APPLICATION NO. PCT/US99/18738
		I.A. FILING DATE PRIORITY DATE 18 AUG 99 18 AUG 98 DATE MAILED: 15 MAR 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- a Designated Office (37 CFR 1.494),
- an Elected Office (37 CFR 1.495):
- U.S. Basic National Fee.
- Copy of the international application in:
 - a non-English language.
 - English.
- Translation of the international application into English.
- Oath or Declaration of inventors(s) for DO/EO/US.
- Copy of Article 19 amendments.
- Translation of Article 19 amendments into English.
- The International Preliminary Examination Report in English and its Annexes, if any.
- Translation of Annexes to the International Preliminary Examination Report into English.
- Preliminary amendment(s) filed FEB 16 2001 and _____.
- Information Disclosure Statement(s) filed _____ and _____.
- Assignment document.
- Power of Attorney and/or Change of Address.
- Substitute specification filed _____.
- Verified Statement Claiming Small Entity Status.
- Priority Document.
- Copy of the International Search Report and copies of the references cited therein.
- Other:

Docketing *Missing Requirements due 15 Mar 2001* *April 1*

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2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
 - The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY 21 OR 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR. 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

Enclosed:

PCT/DO/EO/917

Notice of Defective Translation

PTO-875

FORM PCT/DO/EO/905 (December 1997)

John L. Anderson *JL*

Telephone: 703-308-9116



PATENT COOPERATION TREATY

PCT

NOTIFICATION OF THE RECORDING OF A CHANGE

(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

Date of mailing (day/month/year)
15 March 2001 (15.03.01)

Applicant's or agent's file reference
A008-3221PCT

International application No.
PCT/US99/18738

From the INTERNATIONAL BUREAU

To:

GOLIN, MICHAEL A.
Venable, Baetjer, Howard &
Civiletti, LLP
P.O. Box 34385
Washington, DC 20043-9998
ETATS-UNIS D'AMERIQUE

MAR 26
lw

IMPORTANT NOTIFICATION

International filing date (day/month/year)
18 August 1999 (18.08.99)

1. The following indications appeared on record concerning:

the applicant the inventor the agent the common representative

Name and Address

State of Nationality
US

State of Residence
US

Telephone No.

Faxsimile No.

Teleprinter No.

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

the person the name the address the nationality the residence

Name and Address

LEVINE, Harvey
255 Woodside Circle
Fairfield, CT 06432
United States of America

State of Nationality
US

State of Residence
US

Telephone No.

Faxsimile No.

Teleprinter No.

3. Further observations, if necessary:

Additional applicant/inventor for the US only.

4. A copy of this notification has been sent to:

<input checked="" type="checkbox"/> the receiving Office	<input type="checkbox"/> the designated Offices concerned
<input type="checkbox"/> the International Searching Authority	<input checked="" type="checkbox"/> the elected Offices concerned
<input checked="" type="checkbox"/> the International Preliminary Examining Authority	<input type="checkbox"/> other:

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

Authorized officer

MVC
Maria Victoria CORTIELLO

Telephone No.: (41-22) 338.83.38

• Addressee's fax number: 703 308 6459

WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO)
ORGANISATION MONDIALE DE LA PROPRIÉTÉ INTELLECTUELLE (OMPI)



PCT

(Patent Cooperation Treaty)

34, chemin des Colombettes - 1211 Geneva 20 - Switzerland
Tel (41-22) 338 9111 - Telex 412 912 ompi ch - Facsimile (41-22) 733 5428
PCT Facsimile (41-22) 740 1435

Facsimile/Télécopie

Date : 17 December 2001 (17.12.01) **Fax: 703 308 6459**

To : United States Patent and Trademark Office
Attn.: Dan Stemmer
PCT Legal Examiner
Office of PCT Legal Administration

RECEIVED

17 DEC 2001

Legal staff
International Division

File Reference: A008-3221PCT

From : Ms Agnes Wittmann-Regis

Telephone: (41-22) 338 9033

Concerns: PCT/US99/18738

Email address: agnes.wittmann@wipo.int

Number of pages including cover sheet : 4

Dear Dan,

Further to your e-mail requests of 14 November and 05 December 2001, please find attached copies of Forms PCT/IB/306.

With best regards,

Agnes Wittmann-Regis
Agnes Wittmann-Regis
PCT Information Service

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PATENT COOPERATION TREATY

PCT

NOTIFICATION OF THE RECORDING
OF A CHANGE(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

Date of mailing (day/month/year) 15 March 2001 (15.03.01)	To: GOLIN, MICHAEL A. Venable, Baetjer, Howard & Civiletti, LLP P.O. Box 34385 Washington, DC 20043-9998 ETATS-UNIS D'AMERIQUE
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Applicant's or agent's file reference A008-3221PCT	IMPORTANT NOTIFICATION
International application No. PCT/US99/18738	International filing date (day/month/year) 18 August 1999 (18.08.99)

1. The following indications appeared on record concerning: <input checked="" type="checkbox"/> the applicant <input checked="" type="checkbox"/> the inventor <input type="checkbox"/> the agent <input type="checkbox"/> the common representative		
Name and Address	State of Nationality US	State of Residence US
	Telephone No.	
	Faximile No.	
	Teleprinter No.	

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning: <input checked="" type="checkbox"/> the person <input type="checkbox"/> the name <input type="checkbox"/> the address <input type="checkbox"/> the nationality <input type="checkbox"/> the residence		
Name and Address LEVINE, Harvey 255 Woodside Circle Fairfield, CT 06432 United States of America	State of Nationality US	State of Residence US
	Telephone No.	
	Faximile No.	
	Teleprinter No.	

3. Further observations, if necessary: Additional applicant/inventor for the US only.

4. A copy of this notification has been sent to: <input checked="" type="checkbox"/> the receiving Office <input type="checkbox"/> the designated Offices concerned <input type="checkbox"/> the International Searching Authority <input checked="" type="checkbox"/> the elected Offices concerned <input checked="" type="checkbox"/> the International Preliminary Examining Authority <input type="checkbox"/> other:

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer Maria Victoria CORTIELLO Telephone No.: (41-22) 338.83.38
---	--

INVENT COOPERATION TREATY

PCT

NOTIFICATION OF THE RECORDING
OF A CHANGE(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

Date of mailing (day/month/year) 15 March 2001 (15.03.01)
--

Applicant's or agent's file reference A008-3221PCT

International application No. PCT/US99/18738

From the INTERNATIONAL BUREAU

To:

GOLIN, MICHAEL A.
Venable, Baetjer, Howard &
Civiletti, LLP
P.O. Box 34385
Washington, DC 20043-9998
ETATS-UNIS D'AMERIQUE

21

IMPORTANT NOTIFICATION

International filing date (day/month/year) 18 August 1999 (18.08.99)

1. The following indications appeared on record concerning:

the applicant the inventor the agent the common representative

Name and Address	State of Nationality US	State of Residence US
	Telephone No.	
	Faxsimile No.	
	Teleprinter No.	

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

the person the name the address the nationality the residence

Name and Address LEVINE, Lawrence, T. #3 Austin Drive Easton, CT 06612 United States of America	State of Nationality US	State of Residence US
	Telephone No.	
	Faxsimile No.	
	Teleprinter No.	

3. Further observations, if necessary:

Additional applicant/inventor for the US only.

4. A copy of this notification has been sent to:
<input checked="" type="checkbox"/> the receiving Office <input type="checkbox"/> the designated Offices concerned
<input type="checkbox"/> the International Searching Authority <input checked="" type="checkbox"/> the elected Offices concerned
<input checked="" type="checkbox"/> the International Preliminary Examining Authority <input type="checkbox"/> other:

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer Maria Victoria CORTIELLO Telephone No.: (41-22) 338.83.38
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PATENT COOPERATION TREATY

PCT

NOTIFICATION OF THE RECORDING
OF A CHANGE(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)Date of mailing (day/month/year)
11 May 2000 (11.05.00)

From the INTERNATIONAL BUREAU

To:

GOLIN, MICHAEL A.
Veneable, Baetjer, Howard &
Civiletti, LLP
P.O. Box 34385
Washington, DC 20043-9998
ETATS-UNIS D'AMERIQUEApplicant's or agent's file reference
A008-3221PCT

IMPORTANT NOTIFICATION

International application No.
PCT/US99/18738International filing date (day/month/year)
18 August 1999 (18.08.99)

1. The following indications appeared on record concerning:

 the applicant the inventor the agent the common representative

Name and Address

ADAMS, Bruce, L.
Adams & Wilks
31st floor
50 Broadway
New York, NY 10004
United States of America

State of Nationality

State of Residence

Telephone No.

(212) 809-3700

Facsimile No.

(212) 809-3704

Teleprinter No.

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

 the person the name the address the nationality the residence

Name and Address

GOLIN, MICHAEL A.
Veneable, Baetjer, Howard &
Civiletti, LLP
P.O. Box 34385
Washington, DC 20043-9998
United States of America

State of Nationality

State of Residence

Telephone No.

(212) 809-3700

Facsimile No.

(212) 809-3704

Teleprinter No.

3. Further observations, if necessary:

4. A copy of this notification has been sent to:

 the receiving Office
 the International Searching Authority
 the International Preliminary Examining Authority the designated Offices concerned
 the elected Offices concerned
 other:The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

Authorized officer

Lazar Joseph Panakal

Telephone No.: (41-22) 338.83.38

USPTO/PCT LEGAL

703 308 6459

*** RX REPORT ***

RECEPTION OK

TX/RX NO	7895
CONNECTION TEL	+4122 338 83 39
CONNECTION ID	PCT INFOLINE
START TIME	12/17(MO)11:18
USAGE TIME	01'24"
PGS.	4
RESULT	OK